DEPARTMENT OF HEALTH AND HUMAN SERVICE

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Food and Drug Administration
New Orleans District
Southeast Region
6600 Plaza Drive, Suite 400
New Orleans, Louisiana 70127

Telephone: 504-253-4519
Facsimile: 504-253-4520

January 14, 2004

WARNING LETTER NO. 2004-NOL-12

FEDERAL EXPRESS
OVERNIGHT DELIVERY

Mr. Terry E. Swift, President and CEO
Swift Energy Company, Inc.
16825 North Chase Drive, Suite 400
Houston, Texas 77060

Dear Mr. Swift:

The U S. Food and Drug Administration inspected your vessel watering point facility, Swift Energy Company, Inc , located at 138 Exxon Road, Port Sulphur, Louisiana, on November 18, 2003. The observations made during the inspection revealed that your facility is in violation of the Public Health Service Act and its implementing regulations for the Control of Communicable Diseases and Interstate Conveyance Sanitation found at Title 21, *Code of Federal Regulations*, Parts 1240 and 1250.

At the conclusion of the inspection, a list of Inspectional Observations, FDA Form 483 (copy enclosed) and an Inspection Summary-Vessel Watering Point Sanitation, Form FDA 2521 (copy enclosed) were issued to and discussed with Mr. S. Michael Governale, Production Superintendent. The following violations were observed during the inspection:

- No backflow protection devices were installed on the potable water hydrant outlet and threaded faucet on the south deck and on the southwest dock;

- At the south dock, the potable water hydrant outlet and threaded faucet outlet had no cap and keeper chains, the ends of two potable water hoses were uncapped, and one potable water hose was submerged in the bayou water; and,

- At the southwest dock, the potable water threaded faucet had no cap and keeper chains, the ends of one potable water hose were uncapped, and one potable water hose was stored improperly and resting in bayou water.

The above list of inspectional observations is not intended to include all of the conditions observed at your facility. You should take prompt action to correct all deficiencies. It is your

responsibility to assure adherence with all requirements of the Public Health Service Act and its associated regulations.

Based on the inspectional observations, we are classifying your facility as PROVISIONAL for interstate carrier use for a period of thirty (30) days. A "Provisional" classification means that the facility may continue to operate; however, significant correction of violations must be made by the expiration date. On or about that date, a reinspection of this facility will be conducted to assure corrections meet FDA requirements. If significant corrections have not been made at the time of the next inspection, your facility may be placed on a "Not Approved" status. By separate letter, FDA is notifying your users of the Provisional classification of your watering point facility.

We are aware that, at the close of the inspection, Mr. Governale verbally committed to correct the violations. However, you should advise this office in writing, within 15 days from your receipt of this letter, of the specific steps you have taken to correct the violations and to assure that such violations will not recur. If you cannot complete all corrections before you respond, please explain the reason for the delay and provide a deadline by which you will correct any remaining violations.

Direct your response to the U.S. Food and Drug Administration, Attention: Ms. Nicole F. Hardin, Compliance Officer, at the above address. If you have questions regarding any issue in this letter, you may direct them to Ms. Hardin at the above address or at 504-253-4519.

Sincerely,

Patricia K. Schafer

Patricia K. Schafer
Acting District Director
New Orleans District

Enclosures: Form FDA 483
Form FDA 2521

cc: Mr. S. Michael Governale, Production Supervisor
Swift Energy Company, Inc.
Post Office Box 600
Port Sulphur, Louisiana 70083-2816